



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

January 23, 2023

MR. JEFF WEBB, TREASURER
TURNING POINT PAC INC.
4930 E. BEVERLY ROAD, SUITE 2000
PHOENIX, AZ 85044

Response Due Date
02/27/2023

IDENTIFICATION NUMBER: C00814152

REFERENCE: 12 DAY PRE-GENERAL REPORT (10/01/2022 - 10/19/2022)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 2 item(s):

1. Schedule A supporting Line 17 (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 52 U.S.C. §30116(f) and 11 CFR §§110.1(d) and 110.2(d) prohibit a committee and its affiliates from receiving any contribution from another political committee or person in excess of \$5,000 per calendar year. However, Commission records indicate that your Committee maintains a Non-Contribution Account consistent with the stipulated judgment in *Carey v. FEC*.

If the apparently excessive contribution(s) in question was deposited into your Non-Contribution Account, please amend your report to disclose the item on Schedule A supporting Line 17 of the Detailed Summary Page and disclose "Non-Contribution Account" in the description field or in memo text. For more information please reference the "Reporting Guidance for Political Committees that Maintain a Non-Contribution Account" at <https://www.fec.gov/updates/fec-statement-on-carey-v-fec/>

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint

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contribution. Any request from a donor for a refund must be honored.

Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action promptly by providing the date and method of your remedy (refund, transfer to a non-federal account and/or reattribution) for each contribution. The committee should retain for its records copies of refund checks, transfers to nonfederal account, and/or letters reattributing the contributions in question. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

2. Schedule E of your report indicates that your committee may have failed to file one or more of the required 48 hour report(s) for independent expenditures (see attached). A political committee must file a 48 hour report with the Federal Election Commission as specified in 11 CFR §104.4(b), within 48 hours of any independent expenditures aggregating \$10,000 or more with respect to a given election, made any time during the calendar year up to and including the 20th day before an election. The report must be received by the Commission by 11:59 p.m. on the second day following the date on which independent expenditures that aggregate \$10,000 or more are publicly distributed or disseminated. These expenditures must then be fully itemized on Schedule E, or as memo entries on Schedule E and reflected on Schedule D if distributed or disseminated prior to payment, of the next report required to be filed by the committee. Although the Commission may take further action concerning this matter, your prompt response will be taken into consideration. (11 CFR §104.3(b))

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Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For information about the report review process or specific filing information for your committee type, please visit www.fec.gov/help-candidates-and-committees. For more information about Requests for Additional Information (RFAI), why you received a letter, and how to respond, please visit www.fec.gov/help-candidates-and-committees/request-additional-information. Should you have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1294.

Sincerely,

A handwritten signature in cursive script that reads "Jamie Curran".

Jamie Curran
Senior Campaign Finance Analyst

Apparent Impermissible, Excessive, and Prohibited Contributions
Turning Point PAC Inc. (C00814152)

Apparent Excessive Contributions from Individuals

Contributor Name	Date	Amount	Report
CHILDS, JOHN	10/7/22	\$100,000.00	2022 12 Day Pre-General

Missing 48 Hour Report (Schedule E)
Turning Point PAC Inc. (C00814152)

Name of Payee	Dissemination Date	Amount	Candidate	Election
MESA SIGN SHOP & DESIGN LLC	10/14/2022	\$1,884.42	JOHNSON, RON HAROLD MR.	G2022
MESA SIGN SHOP & DESIGN LLC	10/14/2022	\$1,884.42	VANCE, J D	G2022
MESA SIGN SHOP & DESIGN LLC	10/14/2022	\$2,826.63	WALKER, HERSCHEL MR.	G2022